



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 93 OF 2025

Amit Suresh Chandankhede Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Inamul Haque, counsel for applicant.

Mr. C.A. Lokhande, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/03/2025.

1. The applicant came to be arrested on 17/05/2023 in connection with Crime No. 351/2023 registered with Police Station Samudrapur, District Wardha for the offence punishable under Sections 302, 307, 504 read with Section 34 Indian Penal Code, 1860.

2. The crime is registered on the basis of report lodged by Pravin Ramchandra Supare, who alleged that on 17/05/2023 at about 2.00 p.m. when he was at home, he received the information from his cousin brother that his uncle, Prabhakar Natthuji Supare, had been assaulted by the present applicant and other co-accused, sustained the grievous injuries on his head. The complainant immediately rushed to the spot of incident and took the injured to the hospital, but despite receiving medical treatment, he succumbed to the death. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard the learned counsel, Mr. I. Haque for the applicant, who submitted that there was a dispute on account of boundary of the agricultural land, and due to the various dispute, the present applicant is implicated falsely in the alleged offence. The incident was not witnessed by any eyewitness. The present applicant was arrested merely on suspension. Now, the investigation is already completed, the charge-sheet is already filed, the co-accused is already released on bail. In view of that, present applicant be released on bail.

4. Learned APP strongly opposed the said application on the ground that, the incident was not only witnessed by an eyewitness but also supported by circumstantial evidence. The blood stained axe seized at the instance of the present applicant, which sufficiently shows the involvement of the present applicant in the alleged offence. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that there was a previous dispute between the deceased and the present applicant on account of boundary of the agricultural land. The alleged incident has occurred on 17/05/2023 at about 12.00 p.m. The brother of the deceased is the eyewitness to the said incident. His statement under Section 164 of Cr.P.C. is recorded which shows the involvement of the present applicant. Besides the statement of the eyewitness, blood

stained axe is seized at the instance of the present applicant, on the basis of his memorandum statement. The injuries found on the person of the deceased are three injuries, which are at the nature of chop wound associated with the internal injuries. The death of the deceased is caused due to the head injury.

6. Considering the direct evidence against the present applicant, the bail application deserves to be rejected. Accordingly, I proceed to pass the following order.

a] The criminal application is **rejected**.

[URMILA JOSHI-PHALKE, J.]